



2024 South Dakota Legislature

Senate Bill 205

Introduced by: **Senator Reed**

1 **An Act to direct the Department of Social Services to modify administrative rules**
 2 **related to work requirements for the child care assistance program.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1.** The Department of Social Services shall amend § 67:47:01:03.01 of the
 5 Administrative Rules of South Dakota, as provided in this section. The rule amendments must
 6 be made pursuant to chapter 1-26 and filed with the secretary of state no later than
 7 September 30, 2024.

8 **67:47:01:03.01. Time requirements for work and education --**
 9 **Exceptions.** If a recipient is eighteen years of age or older and employed, the recipient
 10 shall ~~must~~ be employed for a minimum of ~~80~~ eighty hours ~~a per~~ month and must receive
 11 a salary ~~which that~~ is equivalent to the hourly federal minimum wage. ~~If the recipient is~~
 12 ~~under eighteen years of age or is homeless, the recipient must be employed for a minimum~~
 13 ~~of forty hours per month and must receive a salary that is equivalent to the hourly federal~~
 14 ~~minimum wage.~~

15 If in school, the recipient ~~shall must~~ attend ~~80~~ eighty school hours ~~a per~~ month. If
 16 the recipient is working and attending school, the combination of actual work and school
 17 hours ~~shall must~~ be a minimum of ~~80~~ eighty hours ~~a per~~ month, and the recipient must
 18 receive a salary that is equivalent to the hourly federal minimum wage. In determining
 19 whether a recipient has met the school hour requirement, the department shall count the
 20 actual hours spent in class, work study, unpaid internships, practice teaching, and clinical
 21 work experience.

22 ~~The~~ A recipient has met the requirements of this section ~~if~~ by attending a college,
 23 university, or technical ~~institute~~ college for a minimum of ~~12~~ twelve semester credit hours.
 24 If the household contains both parents, each parent ~~shall must~~ meet the requirements of
 25 this section.

- 1 A recipient who is enrolled in and physically attending a program of study or
- 2 training leading to a GED or a high school diploma is exempt from the requirements of
- 3 this section.